

STATE OF CALIFORNIA
BUSINESS, TRANSPORTATION AND HOUSING AGENCY
DEPARTMENT OF CORPORATIONS

TO: SURJIT SINGH
DBA STOP-N-SHOP LIQUOR, INC.
4588 E. Shields Avenue
Fresno, CA 93726

CITATIONS
AND
DESIST AND REFRAIN ORDER
(Pursuant to California Financial Code section 23058)

The California Corporations Commissioner finds that:

1. Surjit Singh dba Stop-N-Shop Liquor #2, hereinafter (“Licensee”) is, and was at all relevant times herein an individual conducting business in California with his principal place of business located at 4588 E. Shields Avenue, Fresno, CA 93726.

2. On or about May 12, 2005, Licensee obtained a license from the California Corporations Commissioner (“Commissioner”) to engage in the business of deferred deposit transactions at 4588 E. Shields Avenue, Fresno, CA 93726.

3. An examination of Licensee conducted by the Commissioner on December 6, 2007 disclosed the following violations at 4588 E. Shields Avenue, Fresno, CA 93726.

Citation A. Licensee failed to conspicuously post its license in its place of business in violation of California Financial Code section 23018.

Citation B. Licensee failed to post required notice in conspicuous view of the public in violation of Financial Code sections 23019 and 23035 (d).

Citation C. Licensee failed to provide the notice with required disclosures to customers prior to entering into deferred deposit transactions in violation of Financial Code section 23035 (c).

Citation D. Licensee failed to include disclosure that customer cannot be prosecuted or threatened with prosecution to collect a deferred deposit transaction in the Agreement in violation of California Financial Code section 23035 (e) (9).

Citation E. The Agreement failed to contain disclosure that licensee cannot accept collateral in connection with a deferred deposit transaction in violation of Financial Code section 23035 (e) (10).

Citation F. Licensee failed to include disclosure that licensee cannot make a deferred deposit transaction contingent on the purchase of another product or service in the Agreement in violation of California Financial Code section 23035 (e) (11).

Pursuant to California Financial Code section 23058, Licensee is hereby ordered to pay to the Commissioner an administrative penalty in the total amount \$10,000 for the following Citations within 30 days from the date of these Citations.

Citation A. \$500

Citation B. \$2,500

Citation C. \$2,500

Citation D. \$1,500

Citation E. \$1,500

Citation F. \$1,500

Pursuant to California Financial Code section 23050, Licensee is hereby ordered to desist and refrain from engaging in the business of deferred deposit transactions in the State of California in violation of the above referenced sections.

These Citations and Desist and Refrain Order are necessary, in the public interest, for the protection of consumers and is consistent with the purposes, policies and provisions of the California Deferred Deposit Transaction Law. These Citations and Desist and Refrain Order shall remain in full force and effect until further order of the Commissioner.

These Citations are separate from any further action that may include other administrative, civil or criminal remedies that the Commissioner may take based upon the violations of law cited herein or otherwise.

California Financial Code section 23058 provides, in relevant part:

(a) If, upon inspection, examination or investigation, based upon a complaint or otherwise, the department has cause to believe that a person

1 is engaged in the business of deferred deposit transactions without a license,
2 . . . the department may issue a citation to that person in writing, describing
3 with particularity the basis of the citation. Each citation may contain . . . an
4 assessment of an administrative penalty not to exceed two thousand five hundred
5 dollars (\$2,500)

6 . . .
7 (c) If within 30 days from the receipt of the citation of the person cited fails
8 to notify the department that the person intends to request a hearing as
9 described in subdivision (d), the citation shall be deemed final.

10 (d) Any hearing held under this section shall be conducted in accordance with
11 Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2
12 of the Government Code

13 California Financial Code section 23050 provides:

14 Whenever, in the opinion of the commissioner, any person is engaged in the
15 business of deferred deposit transactions, as defined in this division, without
16 a license from the commissioner, or any licensee is violating any provision
17 of this division, the commissioner may order that person or licensee to desist
18 and to refrain from engaging in the business or further violating this division.
19 If, within 30 days, after the order is served, a written request for a hearing is
20 filed and no hearing is held within 30 days thereafter, the order is rescinded.

21 The request for a hearing may be made by delivering or mailing a written request to:

22 Steven Thompson
23 Special Administrator
24 California Deferred Deposit Transaction Law
25 Department of Corporations
26 320 West 4th Street, Ste. 750
27 Los Angeles, California 90013-2344
28 (213) 576-7610

Dated: May 22, 2008
Los Angeles, CA

PRESTON DUFAUCHARD
California Corporations Commissioner

By _____
STEVEN C. THOMPSON
Special Administrator
California Deferred Deposit Transaction Law